

From this section we say that each local school shall be managed by a local school board appointed by the governor or elected in such manner as provided by law. There is no room left for appointment by the county council, as we want to call it, or in the case of Baltimore City the mayor of Baltimore City.

Of course, they made this right by providing that since the City already has this, we can continue it. It is true, Baltimore City did have sanctions against it. It is also true that I was most angry with the representatives of our school board and our department of education when they came to our Committee for hearings, but, ladies and gentlemen, we have just gone through a mayoralty election and although the mayor is a member of the opposing or opposite party from mine, I must give credit where credit is due.

From the first speech to the last speech made by Mayor D'Alesandro, he addressed himself to the problems of the Baltimore City school system which we, all of us who read newspapers, know was the greatest problem in our city. One of the many promises he made to the citizens of Baltimore, that great politician, was to do something about the problem of Baltimore schools and I do not think that there is one of us here who can say that what he did was not the biggest step he could make in the direction when he appointed such a capable person as president of that local school board.

Now, what I am simply saying is this: we just finished talking about equality of educational opportunity. Ladies and gentlemen, unless a policy can truly work toward this end, it will never come from the educators. Those politicians that we talk about are the ones that provide the dollars and unless they are responsible for providing that educational system that we want to be equal and offer an opportunity for all people, we will never have it. So I simply say to you, do not freeze a lot of inflexible words into this document that my children have to live with.

THE CHAIRMAN: Delegate Pullen, I am a little disturbed by two or three things. One is that I am not satisfied by Delegate Moser's statement as to what these provisions on local government are going to do with education. I, for one, would certainly oppose any interference by any form of local government, other than the present incoming, until we protect ourselves through a constitutional amendment.

DELEGATE PULLEN: I came down here contrary to what the newspapers said. It had nothing to do with putting this amendment in the constitution, but I became converted that it was necessary because the people of the State are fearful of two things. I think my sources are proper. First, they fear the move to appoint the state superintendent. They fear the move of the county commissioners to appoint the school board. I have heard a lot from my friends in the legal profession about the legislature, let the legislature do it.

Now, I am going to quote from one of the most eminent authorities in this group as to why we should not do that. I refer to Delegate Mudd, a gentleman whom I respect in every way. This is from the record of November 16 when somebody asked him the same question, and sir, I am sure you will not object to my reading this because you found it for me. This is what he said: "We fear, frankly, that the legislature, not now perhaps, but sometime in the foreseeable future, unintentionally may by law create a functional division that, because of its lack of knowledge of the details of the innermost function of the court in the various areas in the State, could disrupt the harmony and efficiency of the entire structure."

I maintain, sir, that the interests of the children of this State are of equal importance to justice. As a matter of fact, it is only justice that we protect them. I think this amendment should not be passed.

THE CHAIRMAN: Does any other delegate desire to speak in favor of the amendment?

Delegate Moser.

DELEGATE MOSER: Mr. Chairman, ladies and gentlemen, I will be brief. I will respectfully suggest to Dr. Pullen if he wants to accomplish what he says he wants to accomplish that he ought to vote for Amendment No. 5 and not against it.

As I understand Amendment No. 1, as it was passed, what we have got in here now reads that the State shall provide by law. Presumably it means the General Assembly, and it puts the educational system and the control of it in the hands of the General Assembly. When Delegate Lord was asked the question, what do you mean by law, he made absolutely clear that this meant a law that could vary in its terms and effects among the local subdivisions just exactly as Article 77 of the Maryland Code now reads. He made this absolutely clear, and